

Remarks

Claims 1 and 3 – 29 are pending in the present application. Claims 1 – 29 are rejected in the present Office Action. Claim 6 has been cancelled.

Claim 11 was rejected under 35 U.S.C. 112, second paragraph. It is respectfully submitted that a person skilled in the art would understand the meaning of “partially alkylated melamine with higher imino group” as set forth in claim 11. Even if that person skilled in the art were not initially aware of the meaning of the term, that person would easily be able to locate the term in a product catalog or brochure. Accordingly, it is respectfully requested that the Examiner withdraw the rejection to claim 11 under 35 U.S.C. The Examiner also noted the specification in the rejections under 35 U.S.C. 112, second paragraph. It is respectfully submitted that one skilled in the art would easily be able to access the product catalogs and brochures to identify the materials denoted by the company designations. Accordingly, it is respectfully submitted that the specification is in accordance with 35 U.S.C. 112, second paragraph.

Claims 1, 3 – 5, 7 – 8, 10 – 14, 17, 20 and 22 were rejected as anticipated under 35 U.S.C. 102(b) by U.S. Patent No. 5,166,254, issued to Nickle. Nickle discloses a waterbased coating composition for use as an automotive clear coat. The coating of Nickle does not require electrical conductivity and, consequently, graphite is not included in its formula. An insignificant amount of carbon black may be incorporated into the coating of Nickle, however its function is merely as a pigment and it does not provide any significant electrical conductivity to the coating. As opposed to Nickel, claim 1, as amended, requires that the coating be electrically conductive. Further, claim 1 as amended requires that the graphite, carbon black or mixture of the two comprise about 10 – 60 weight percent of the dispersion. This percentage of graphite is significantly different than the percent of carbon black in Nickle. As anticipation under 35 U.S.C. 102 requires identity of invention, in view of the significant differences between Nickle and the present invention it is respectfully submitted that claims 1, 3 – 5, 7 – 8, 10 – 14, 17, 20 and 22 are patentable under 35 U.S.C. 102(b) over Nickle.

Claims 1, 3 – 9, 15, 16, 21 and 24 – 29 were rejected as unpatentable under 35 U.S.C. 103(a) over U.S. Patent No. 5,677,367, issued to Savin, in view of U.S. Patent No. 4,352,898,

issued to Albers. Claim 6 has been cancelled. Savin discloses a precursor powder containing, zinc dust, zinc powder, zinc-coated microspheres and graphite. The powder is ultimately used in anticorrosion coatings to protect metal from environmental attack, as the combination of zinc dust and graphite provide anticorrosive properties. Albers discloses a water-reducible epoxy coating which may contain an epoxy resin. The coating of Savin is unusable for and would not lead one skilled in the art to the present invention, because the zinc dust would react with the electrolytes in the energy storage device. The coating of Savin does not in any way disclose, teach or suggest an electrically conductive coating that does not contain zinc dust. Even if one skilled in the art were, for some reason, to combine Savin and Albers, that person would not be led to the present invention. Instead that person would be led to a coating that contained zinc dust and was not suitable as an electrically conductive coating. Accordingly, it is respectfully submitted that claims 1, 3 – 5, 7 – 9, 15, 16, 21 and 24 – 29 are patentable under 35 U.S.C. 103(a) over Savin in view of Albers.

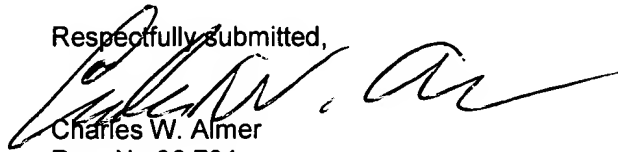
Claim 18 was rejected as unpatentable under 35 U.S.C. 103(a) over Nickle in view of U.S. Patent No. 6,423,773, issued to Shepherd. The distinctions between Nickle and the present invention set forth above are equally applicable to the present rejection. Shepherd discloses a polymer coating composition for a plastic substrate which offers improved adhesion and water resistant properties but is not an electrically conductive coating. There is no disclosure, teaching or suggestion that would lead one skilled in the art to combine the two references. If one skilled in the art were to combine the references that person would not be led to an electrically conductive coating such as that of the present invention, but would instead be led to a non-conductive coating containing a polymeric binder. Accordingly, it is respectfully submitted that claim 18 is patentable under 35 U.S.C. 103(a) over Nickle in view of Shepherd.

Claim 19 was rejected as unpatentable under 35 U.S.C. 103(a) over Nickle in view of Shepherd and further in view of FR 1485507 issued to Esso Standard. The distinctions between Nickle, Shepherd and the present invention set forth above are equally applicable to the present rejection. Esso Standard discloses a non-conductive solvent resistant coating. There is no teaching, suggestion or disclosure to lead one skilled in the art to combine the references and,

even if the references were combined the result would not be a conductive coating such as that of the present invention. Accordingly, it is respectfully submitted that claim 19 is patentable under 35 U.S.C. 103(a) over Nickle in view of Shepherd and Esso Standard.

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance. If there are any issues that the Examiner wishes to discuss, she is invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. W. Almer', written over the typed name.

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